

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL BIRDSONG : CIVIL ACTION  
v. :  
ROCK-IT CARGO USA LLC : NO. 23-3073  
: :  
: :

**ORDER**

AND NOW, this 9<sup>th</sup> day of February 2024, upon considering the parties' stipulation for voluntary dismissal (DI 16), it is ORDERED:

1. This action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(a)(1)(A)(ii);
2. Defendant's motion to dismiss (DI 9) is **DENIED as moot**; and,
3. The Clerk of Court shall **close** this case.



MURPHY, J.